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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/012,459	12/12/2001	Yong Hyun An	K-0355	7276
34610	7590	07/27/2006		EXAMINER
FLESHNER & KIM, LLP				SAMS, MATTHEW C
P.O. BOX 221200				
CHANTILLY, VA 20153			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/012,459	AN ET AL.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-49 is/are pending in the application.
  - 4a) Of the above claim(s) 3,16 and 23-34 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1, 2, 4-15, 17-22, 35-49 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Response to Amendment***

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.
2. This office action has been changed in response to the amendment filed on 5/8/2006.
3. Claims 24, 26-28, 30,31, 33 and 34 have been canceled.
4. Claims 38-49 have been added.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 5-15, 17-22 and 35-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (US-6,456,234) in view of O'Hagan et al. (US 2002/0145038 hereafter, O'Hagan).

Regarding claim 1, Johnson teaches a system and method for proactive content delivery by situation location that includes a database server that receives and stores information on entities within a predetermined area (Col. 15 line 16 through Col. 16 line 44), a data transmission server at a prescribed location that communicates with a

customer's mobile terminal and automatically radio-transmits a first type of information including the information on the entities to the customer's mobile terminal when the customer enters into the predetermined area (Col. 7 line 39 through Col. 8 line 65 e.g. *device identifier*), an operation server that controls the database server and the data transmission server and data transmission device (Fig. 10A-10C), a sudden information device, installed within the predetermined area, that radio-transmits a second type of information including sudden event information to the customer's mobile terminal when a sudden event is generated by one of the entities while the customer remains within a range where reception by the mobile terminal is possible at different times. (Col. 2 lines 10-67 and Col. 8 lines 29-65) Johnson differs from the claimed invention by not explicitly reciting the first type of information is transmitted through different wireless transmission links than the second type of information.

In an analogous art, O'Hagan teaches an electronic shopping system that includes multiple servers (Fig. 1 [12, 26, 32 & 34]) that transmit different types of information to a mobile device (Fig. 1 [14]) through different wireless transmission links. (Fig. 1 [18], Fig. 13, Pages 3-4 [0057] and Page 16 [0173]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Johnson after modifying it to incorporate the servers and separate wireless transmission links of O'Hagan. One of ordinary skill in the art would have been motivated to do this since the user can receive location dependent alerts as the user moves about the store.

Regarding claim 2, Johnson in view of O'Hagan teaches a radio data transmitter/receiver is installed in the data transmission server and the customer's mobile terminal, respectively for a mutual radio data transmission/reception. (Johnson Col. 6 line 55 through Col. 7 line 53)

Claim 3 was canceled previously.

Regarding claim 5, Johnson in view of O'Hagan teaches a radio data transmitter/receiver is installed in the sudden information data transmission device to support the radio transmission. (Johnson Fig. 1 [110] and Col. 7 lines 25-27)

Regarding claim 6, Johnson in view of O'Hagan teaches the prescribed location is within the predetermined area. (Johnson Col. 8 lines 29-65)

Regarding claim 7, Johnson in view of O'Hagan teaches the predetermined area is a building. (Johnson Col. 8 lines 45-65)

Regarding claim 8, Johnson in view of O'Hagan teaches the predetermined area is a building and the vicinity of the building. (Johnson Col. 8 lines 45-65)

Regarding claim 9, Johnson in view of O'Hagan teaches the data transmission server communicates directly with the customer's mobile terminal. (Johnson Col. 7 lines 2-41)

Regarding claim 10, Johnson in view of O'Hagan teaches the data transmission server communicates indirectly with the customer's mobile terminal. (Johnson Col. 7 line 54 through Col. 8 line 13)

Regarding claim 11, Johnson in view of O'Hagan teaches the data transmission server communicates with the customer's mobile terminal through a third-party wireless communication gateway. (Johnson Col. 7 line 2 through Col. 8 line 13)

Regarding claim 12, Johnson teaches a method of operating an information service system comprising determining whether a potential customer enters a prescribed area (Col. 8 lines 29-65), obtaining general information about a product of a vendor from a database server (Col. 8 lines 60-63), automatically transmitting the general information between a data transmission server and a customer's mobile terminal when the potential customer enters the prescribed area (Col. 8 lines 29-65), receiving sudden event information from a network of a specified vendor, if a sudden event is generated by the specified vendor and registering the received event information in the database server and radio transmitting the sudden event information to the customer's mobile terminal, located within a range where reception by the mobile terminal is possible, by controlling a respective sudden information data transmission section, wherein the sudden event information is transmitted at different times than the general information. (Col. 8 lines 29-65, Fig. 11 and Fig. 12A) Johnson differs from the claimed invention by not explicitly reciting the first type of information is transmitted through different wireless transmission links than the second type of information.

In an analogous art, O'Hagan teaches an electronic shopping system that includes multiple servers (Fig. 1 [12, 26, 32 & 34]) that transmit different types of information to a mobile device (Fig. 1 [14]) through different wireless transmission links. (Fig. 1 [18], Fig. 13, Pages 3-4 [0057] and Page 16 [0173]) At the time the invention

was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Johnson after modifying it to incorporate the servers and separate wireless transmission links of O'Hagan. One of ordinary skill in the art would have been motivated to do this since the user can receive location dependent alerts as the user moves about the store.

Regarding claim 13, Johnson in view of O'Hagan teaches the data transmission server transmits the general information to the mobile terminal by a wired or a radio medium. (Johnson Col. 2 lines 40-64)

Regarding claim 14, Johnson in view of O'Hagan teaches receiving customer information, regarding the mobile terminal, with the data transmission server while transmitting the general information to the mobile terminal. (Johnson Col. 15 line 16 through Col. 16 line 44)

Regarding claim 15, Johnson in view of O'Hagan teaches the customer information comprises at least one of a phone number of the mobile terminal and an Internet Protocol used by the mobile device. (Johnson Col. 15 lines 16-22)

Claim 16 was canceled previously.

Regarding claim 17, Johnson in view of O'Hagan teaches the prescribed area is a building. (Johnson Col. 8 lines 45-65)

Regarding claim 18, Johnson in view of O'Hagan teaches the predetermined area is a building and the vicinity of the building. (Johnson Col. 8 lines 45-65)

Regarding claim 19, Johnson in view of O'Hagan teaches the data transmission server communicates directly with the customer's mobile terminal. (Johnson Col. 7 lines 2-41)

Regarding claim 20, Johnson in view of O'Hagan teaches the data transmission server communicates indirectly with the customer's mobile terminal. (Johnson Col. 7 line 54 through Col. 8 line 13)

Regarding claim 21, Johnson in view of O'Hagan teaches the data transmission server communicates with the customer's mobile terminal through a third-party wireless communication gateway. (Johnson Col. 7 line 2 through Col. 8 line 13)

Regarding claim 22, Johnson teaches a method of operating an information service system comprising confirming entry of a customer into a building (Col. 8 lines 45-65), automatically obtaining information from a mobile terminal of the customer regarding the mobile terminal when the customer enters the building and registering the obtained information in a database server (Col. 15 line 16 through Col. 16 line 44), awaiting a sudden event from a vendor in the building (Col. 2 line 10 through Col. 3 line 50), obtaining sudden event information and transmitting the obtained sudden event information to the customer's mobile terminal, in the building, when the sudden event arrives from the vendor, wherein the sudden event information is radio-transmitted to the customer's mobile terminal, located within a range where reception by the mobile terminal is possible, by controlling a respective sudden information data transmission section installed within the building, and wherein the sudden event information is transmitted to indicate a sudden sale occurring in the building. (Col. 8 lines 29-65)

Johnson differs from the claimed invention by not explicitly reciting the first type of information is transmitted through different wireless transmission links than the second type of information.

In an analogous art, O'Hagan teaches an electronic shopping system that includes multiple servers (Fig. 1 [12, 26, 32 & 34]) that transmit different types of information to a mobile device (Fig. 1 [14]) through different wireless transmission links. (Fig. 1 [18], Fig. 13, Pages 3-4 [0057] and Page 16 [0173]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Johnson after modifying it to incorporate the servers and separate wireless transmission links of O'Hagan. One of ordinary skill in the art would have been motivated to do this since the user can receive location dependent alerts as the user moves about the store.

Claims 23-34 are canceled.

Regarding claim 35, Johnson in view of O'Hagan teaches the sudden event information includes short-term discount selling or issuance of discount tickets. (Johnson Col. 3 lines 3-18)

Regarding claim 36, Johnson in view of O'Hagan teaches the sudden event information includes short-term discount selling or issuance of discount tickets. (Johnson Col. 3 lines 3-18)

Regarding claim 37, Johnson in view of O'Hagan teaches the sudden event information includes short-term discount selling or issuance of discount tickets. (Johnson Col. 3 lines 3-18)

Regarding claim 38, Johnson in view of O'Hagan obviously teaches the predetermined area is a building and the entities are different stores within the building. (Johnson Fig. 5B and O'Hagan Fig. 1)

Regarding claim 39, Johnson in view of O'Hagan teaches placing antennas throughout the store to cover the entire area (O'Hagan Fig. 1 [18]), which obviously includes being able to transmit sudden event information throughout the store and transmitting entity information when approaching the building.

Regarding claim 40, Johnson in view of O'Hagan teaches the database server receives a selection signal from a store manager indicating a type of said stored information. (Johnson Col. 8 lines 29-65)

Regarding claim 41, Johnson in view of O'Hagan teaches the stored information is basic information or event information of the store. (Johnson Col. 8 lines 29-65)

Regarding claim 42, Johnson in view of O'Hagan teaches the first and second types of information are transmitted through different wireless links which conform to a same short-range communication protocol. (O'Hagan Page 4 [0058, 0063 and 0065])

Regarding claim 43, Johnson in view of O'Hagan teaches the mobile terminal includes a wireless communications port for receiving the first and second types of information through the different links and an antenna for receiving calls from a mobile communication network. (Johnson Fig. 3A and O'Hagan Page 4 [0058, 0063 & 0065])

Regarding claim 44, Johnson in view of O'Hagan teaches the short-range communication protocol is a Bluetooth protocol or an IR protocol. (O'Hagan Page 4 [0063])

Regarding claim 45, Johnson in view of O'Hagan teaches the operation server confirms a location of the customer's mobile terminal through manipulation of the data transmission server by the customer. (Johnson Fig. 5B)

Regarding claim 46, Johnson in view of O'Hagan teaches the operation server confirms a location of the customer's mobile terminal based on a signal transmitted in response to manipulation of the mobile terminal by the customer. (Johnson Fig. 5A & 5B)

Regarding claim 47, Johnson in view of O'Hagan teaches the data transmission server automatically radio-transmits the first type of information in response to a customer request for the first type of information. (Fig. 11 [1112])

Regarding claim 48, Johnson in view of O'Hagan teaches the customer request is made based on the customer's manipulation of the mobile terminal or the data transmission server. (Fig. 12B)

Regarding claim 49, Johnson in view of O'Hagan teaches the request is generated based on customer manipulation of the mobile terminal of the customer or a data transmission server in the building. (Fig. 11 [1112] and Fig. 14 [1408])

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-49 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

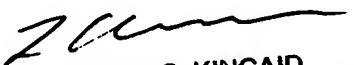
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS  
7/24/2006



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